

BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: April 16, 2003

Division: BOCC

Bulk Item: Yes      No XX

Department: Commissioner Rice, District 4

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**AGENDA ITEM WORDING:** Approval of Resolution of Support to the Florida Legislature to maintain and support Everglades protections in place through the Everglades Forever Act of 1994, including phosphorus standards recommended by scientists and the State Department of Environmental Protection, maintaining deadlines contained in the Act, and urge that polluters be held financially responsible for Everglades cleanup.

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**ITEM BACKGROUND:** The Key West City Commission passed a similar resolution of support on Tuesday, April 2, 2003.

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**PREVIOUS RELEVANT BOCC ACTION:** BOCC passed a Resolution of Support for authorization of Comprehensive Everglades Restoration Plan (CERP) Projects for 2003 at the February 2003 meeting.

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**CONTRACT/AGREEMENT CHANGES:**

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**STAFF RECOMMENDATIONS:**

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**TOTAL COST:**                     

**BUDGETED:** Yes      No     


**COST TO COUNTY:**                     

**SOURCE OF FUNDS:**                     

**REVENUE PRODUCING:** Yes      No      **AMOUNT PER MONTH**      **Year**     

**APPROVED BY:** County Atty      OMB/Purchasing      Risk Management     

**DIVISION DIRECTOR APPROVAL:**

  
(David P. Rice, Commissioner, District 4)

**DOCUMENTATION:** Included X To Follow      Not Required     

**DISPOSITION:**                     

**AGENDA ITEM #** 04

Commissioner David P. Rice

**A RESOLUTION OF THE COUNTY COMMISSION, MONROE COUNTY ,  
FLORIDA, SUPPORTING A TEN PARTS PER BILLION PHOSPHORUS  
WATER QUALITY STANDARD FOR THE EVERGLADES; SUPPORTING THE  
IMPLEMENTATION DEADLINES CONTAINED IN THE EVERGLADES  
FOREVER ACT OF 1994; AND URGING THAT THOSE RESPONSIBLE FOR  
EVERGLADES POLLUTION SHOULD BE FINANCIALLY RESPONSIBLE FOR  
THE CLEANUP; PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, Monroe County, and the entire Florida Keys economy depend on a healthy marine ecosystem as the foundation of its two primary industries, tourism and commercial fishing; and

WHEREAS, Florida Bay and the Florida Keys are the ultimate receiving bodies of the Everglades watershed; and

WHEREAS, Florida Bay and the Keys' reef depend on clean water; and

WHEREAS, the cleanup of the Everglades and Florida Bay has been the subject of intense public attention, a federal lawsuit and the largest environmental restoration plan ever attempted; and

WHEREAS, scientists and the State of Florida agree that the Everglades require a ten parts per billion phosphorus standard; and

WHEREAS, the residents of unincorporated Monroe County and the municipalities of the Florida Keys, have been paying for Everglades pollution cleanup via the property tax on our extremely highly valued homes and businesses;

**NOW THEREFORE BE IT RESOLVED BY THE COUNTY COMMISSION OF  
MONROE COUNTY, FLORIDA, AS FOLLOWS :**

Section 1: That the ten parts per billion phosphorus standard for the Everglades is hereby strongly supported.

Section 2: That implementation deadlines contained in the Everglades Forever Act of 1994 are hereby strongly supported.

Section 3: That it is hereby urged that those responsible for Everglades pollution should be financially responsible for the cleanup.

Section 4: That the County Clerk is hereby authorized to transmit a certified copy of this Resolution to Governor Jeb Bush, Representative Ken Sorensen, Senator Larcenia Bullard and the Florida Legislature.

Section 5: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Mayor of Monroe County and the Clerk of the County.

Passed and adopted by the County Commission at a meeting held this sixteenth day of April, 2003.

Mayor Dixie Spehar  
Mayor Pro Tem Murray Nelson  
Commissioner Charles "Sonny" McCoy  
Commissioner George Neugent  
Commissioner David P. Rice

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BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA

\_\_\_\_\_  
Mayor/Chairperson

(SEAL)

Attest: DANNY KOLHAGE, Clerk

By: \_\_\_\_\_  
Deputy Clerk

Section 4: That the County Clerk is hereby authorized to transmit a certified copy of this Resolution to Governor Jeb Bush, Representative Ken Sorensen, Senator Larcenia Bullard and the Florida Legislature.

Section 5: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Mayor of Monroe County and the Clerk of the County.

Passed and adopted by the County Commission at a meeting held this sixteenth day of April, 2003.

Mayor Dixie Spehar  
Mayor Pro Tem Murray Nelson  
Commissioner Charles "Sonny" McCoy  
Commissioner George Neugent  
Commissioner David P. Rice

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BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA

\_\_\_\_\_  
Mayor/Chairperson

(SEAL)

Attest: DANNY KOLHAGE, Clerk

By: \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY  
BY: [Signature]  
ROBERT M. MOLES  
DATE 4-3-03

RESOLUTION NO. 03-126

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, SUPPORTING A TEN PARTS PER BILLION PHOSPHOROUS WATER QUALITY STANDARD FOR THE EVERGLADES; SUPPORTING THE IMPLEMENTATION DEADLINES CONTAINED IN THE EVERGLADES FOREVER ACT OF 1994; AND URGING THAT THOSE RESPONSIBLE FOR EVERGLADES POLLUTION SHOULD BE FINANCIALLY RESPONSIBLE FOR THE CLEANUP; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Key West and the entire Florida Keys economy depend on a healthy marine ecosystem as the foundation of its two primary industries, tourism and commercial fishing; and

WHEREAS, Florida Bay and the Florida Keys are the ultimate receiving bodies of the Everglades watershed; and

WHEREAS, Florida Bay and the Keys' reefs depend on clean water; and

WHEREAS, the cleanup of the Everglades and Florida Bay has been the subject of intense public attention, a federal lawsuit and the largest environmental restoration plan ever attempted; and

WHEREAS, scientists and the State of Florida agree that the Everglades require a ten parts per billion phosphorous standard; and

WHEREAS, the residents of the Florida Keys and Key West, have been paying for Everglades pollution cleanup via the property tax on our extremely highly valued homes and business;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the ten parts per billion phosphorous standard for the Everglades is hereby strongly supported.

Section 2: That implementation deadlines contained in the Everglades Forever Act of 1994 are hereby strongly supported.

Section 3: That it is hereby urged that those responsible for Everglades pollution should be financially responsible for the cleanup.

Section 4: That the City Clerk is hereby authorized to transmit a certified copy of this Resolution to Governor Jeb Bush, Representative Ken Sorensen, Senator Larcenia Bullard and the Florida Legislature.

Section 5: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this 1 day of April, 2003.

Authenticated by the presiding officer and Clerk of the Commission on April 2, 2003.

Filed with the Clerk April 2, 2003.

ATTEST:

  
CHERYL SMITH, CITY CLERK

  
JIMMY WEEKLEY, MAYOR

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## CURRENT NEWS

## Key West sides with environmentalists on 'Glades standards

BY GINNY HALLER

keysnews.com

KEY WEST -- The Key West City Commission Tuesday night sent Tallahassee a message about Everglades restoration: stay on course.

The commission, concerned that a new bill introduced Wednesday in the Florida legislature might derail Everglades protections already in place, passed a resolution to support phosphorus standards recommended by scientists and the state Department of Environmental Protection, calls for maintaining deadlines contained in the 1994 Everglades Forever Act, and urges that polluters be held financially responsible for Everglades cleanup.

The resolution will be forwarded to state Rep. Ken Sorensen, state Sen. Larcenia Bullard and Gov. Jeb Bush. It underscores the link between the Everglades and Florida Bay, and calls the surrounding waters of the Florida Keys and Key West the "ultimate receiving bodies of the Everglades watershed."

The Key West and the Florida Keys "economy depends on a healthy marine ecosystem as the foundation of its two primary industries, tourism and commercial fishing," the resolution said.

The Everglades Forever Act said that by 2003 the state had to decide on numeric limits for the concentration of phosphorus allowed in the water. Environmentalists and the sugar industry disagree on the limits.

Phosphorus, contained in fertilizer runoff, is an essential nutrient, but excess amounts kill vital algae and grasses.

A plan spelling out how much must be removed has already been

Thu, Apr 3

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drafted by the South Florida Water Management District and the bill being written (PCB NR 03-01) by the House panel uses that as its framework.

The standard in the water management district's plan allows for more phosphorus in the water than environmentalists want -- 15 parts per billion instead of the 10 parts per billion the environmentalists are seeking.

The city commission supports setting the phosphorus standard at 10 parts per billion.

Eric Draper, a lobbyist for Audubon, said he had a copy of the Key West City Commission's resolution in hand as he attended the two days of meetings held by the state Natural Resources committee on the new bill. The committee will decide next week whether the bill will go on to a full House vote.

"I was really impressed with the resolution passed by the Key West city commission last night," said Draper. "It is looking better today. If we really fight, we can fight that bad bill that will weaken pollution standards."

Audubon of Florida said the bill is an attempt to circumvent the Everglades Forever Act and that the sugar industry has deceived legislators into proposing "a lobbyist-crafted bill" that will throw back efforts to restore the Everglades.

Not so, said Judy Sanchez the director of communications for The United States Sugar Corp. in a telephone interview.

"This bill is just an update on the Everglades Forever Act," said Sanchez. "The environmentalists were in an uproar when the Everglades Forever Act was enacted because everything is a crisis for some of these groups. The Everglades Forever Act was a tremendous step forward for Everglades restoration."

Sanchez said the new bill is a framework for how to get to the ultimate phosphorous standards. The Florida Department of Environmental Protection has proposed a rule of ten parts phosphorous per billion of water, but Sanchez said U.S. Sugar does not believe that science supports those figures.

The city commission and environmentalists disagree.

"Key West is a long way from Tallahassee," said Nancy Klingener, Florida Keys program director of The Ocean Conservancy, "but I hope this message from the south is heard in the Capitol. The Keys are the ultimate receiving end of the South Florida ecosystem. We depend on

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clean water for our reef and Florida Bay. Those are the foundations of our economy, both in tourism and commercial fishing."

The Associated Press contributed to this report.

ghaller@keysnews.com

**Everglades Forever Act** was passed by the Florida Legislature in 1994 and changed the way water was managed throughout South Florida. What the act does

- \* Commits the Florida Legislature to the preservation of the Everglades and the 40,000 jobs created by agriculture in south Florida.
- \* Make farmers pay "their fair share" of cleaning the water, as much as \$320 million over the next 20 years.
- \* Takes 40,000 acres of farmland to build filtering marshes to treat runoff
- \* Imposes on sugar farmers the most rigorous agricultural environmental regulations in the United States.
- \* Establishes a water quality standard fro farm runoff.
- \* Increases the water flow to the Everglades by 28 percent, returning to the Everglades water that the South Florida Water Management District is dumping into the Atlantic Ocean to prevent stormwater runoff.
- \* Establishes ways to treat urban runoff.
- \* Requires farmers to spend millions of their own money on special farming techniques in order to reduce the phosphorus leaving their farms [for example, from fertilizers].
- \* Says the quantity, timing and distribution of fresh water to the Everglades and Florida Bay is as important as the quality of the water.

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This story published on Thu, Apr 3, 2003

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